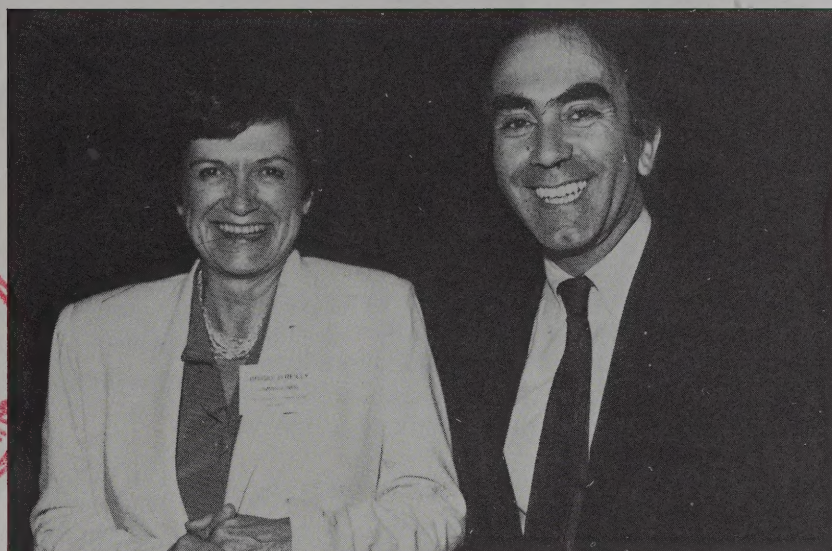


# THE PAY EQUITY COMMISSION

[Newsletter]

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## The First Inter-Governmental Conference on Pay Equity



*Ontario Pay Equity Commissioner Brigid O'Reilly welcomed Labour Minister Gregory Sorbara to the Inter-Governmental Conference on Pay Equity, held in Toronto on June 28 and 29.*

The Ontario Pay Equity Commission hosted Canada's first Inter-Governmental Conference on Pay Equity June 28 and 29. Twenty-one representatives from nine jurisdictions across Canada met with their Ontario counterparts to share pay equity experiences – lessons that have been learned, obstacles that have been overcome and victories that have been won.

On hand were representatives from the federal government, Alberta, British Columbia, New Brunswick, Newfoundland and Labrador, Nova Scotia, Prince Edward Island,

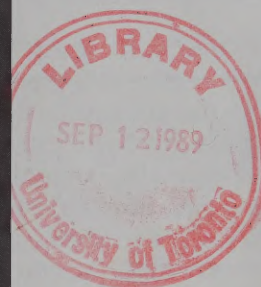
Quebec and Saskatchewan. Representatives from Manitoba, the Northwest Territories and the Yukon Territories were unable to attend.

Ontario Commissioner Brigid O'Reilly opened the conference with an overview of the structure and work of the Pay Equity Commission. She provided a brief update on the study of the predominantly female work-places and the Commission's partnership with the province's 22 community colleges.

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*Between workshops, Jennifer Stoddart (left) from the Quebec Human Rights Commission talked to Becky Roome from the Government of Newfoundland and Labrador.*

*A second inter-governmental conference on pay equity has been planned for June 1990 in Charlottetown, P.E.I.*

## A Far-Reaching Agenda of Workshops and Discussions

In the day and a half, conference participants involved themselves in workshops that covered topics such as job evaluation and comparison systems, and legal issues.

Murray Lapp, director of the Commission's Review Services Branch, talked about the challenges of management and union jointly managing the pay equity process.

Beth Symes, chair of the Pay Equity Hearings Tribunal, discussed the need to establish case law to assist the parties in negotiating pay equity.

Nan Weiner, research manager and job evaluation advisor in the Commission's Policy and Research

Branch, talked about the need for gender neutrality in job comparison systems. She stressed that gender bias can take many subtle forms; consequently, job comparison systems require careful consideration. However, Dr. Weiner also cautioned against not proceeding because one lacks the "perfect" system.

"You may never have the perfect system," said Dr. Weiner, "but if you bring the right values about women's work to the pay equity process, you can correct most pay inequities. Two or three years from now, we will know more. But we must take that first step forward today."

## Two Guest Speakers from Ontario's Largest Employer

Jim Thomas, assistant deputy minister in the Ontario Government's Human Resources Secretariat, and Andy Todd, negotiations coordinator for the Ontario Public Service Employees Union (OPSEU), discussed implementing pay equity in the Ontario public service, the province's largest employer with about 90,000 employees.

From the outset, they realized traditional collective bargaining techniques did not work with pay equity. Both parties had to adjust their approaches, and each step of

the pay equity process has to be negotiated, they said.

Negotiations to date have resulted in the finalization of a 22-page questionnaire for collecting job information, which was sent to 20,000 OPSEU members.

Both Thomas and Todd were in agreement on one key point: that communication is imperative to pay equity. They explained there is confusion, for instance, between pay equity and employment equity or equal pay for equal work – and the differences and their implications must be communicated.

## Minister Applauds Canada-Wide Initiatives

Ontario Labour Minister Gregory Sorbara in his address applauded the initiatives undertaken by other jurisdictions. He also touched on Ontario's proactive legislation and its significance.

"The legislation," he said, "signalled that Ontario was urgently moving toward a re-examination of the value of the work women do in this province. It also set a very important precedent and moved the pay equity yardstick substantially forward in this great nation of ours."

Ontario's legislation and the initiatives that are taking place around the Western industrialized world must be set in the context of dramatic social change, he emphasized.

"In Ontario, for example," said Sorbara, "pay equity has to be seen in the context of initiatives that deal with the Employment Standards Act, with issues relating to childcare and with a variety of changes taking place in the workplace."

"A few years from now when we look back," he said, "any reasonable commentary analyzing the progress of social, cultural and economic development will point to the Ontario experience and your experience in other jurisdictions and say without doubt or hesitation that pay equity was a milestone toward the achievement of true equality for women, not only in the province of Ontario but also across Canada."



## Resources Available from the Commission to Help You Make Pay Equity a Reality

Implementing pay equity in Ontario is intended to be principally a self-managed process. You, as an employer, employee or bargaining agent, have a variety of resources available to you to prepare for the compliance dates:

- ▶ You can call the Commission's hotlines; information telephone counsellors are available from 9 a.m. to 5 p.m., Monday to Friday, to provide information and answer questions about pay equity. (For the phone numbers, see the back cover.)
- ▶ You can talk to the Commission's information and education officers and review officers who can answer questions and suggest possible solutions to problems.
- ▶ You can enroll in a comprehensive pay equity course the Commission developed that is now offered across the province by Ontario's community colleges.
- ▶ You can attend one or more in a series of day-long conferences the Commission sponsors in co-operation with the community colleges.
- ▶ You can request a speaker from the Commission to come and talk to your organization.
- ▶ You can attend a variety of seminars and workshops, jointly sponsored by the Commission and public sector and private sector organizations.
- ▶ You can purchase two training videos on pay equity (both are on one VHS cassette) which the Commission produced.
- ▶ You can request parts of or the entire series of Implementation Guidelines (1 through to 18) that explains sections of the Pay Equity Act.
- ▶ You can refer to free publications, such as "How to Do Pay Equity Job Comparisons" and "Pay Equity in Small Workplaces," which the Commission produced.

You, as an employer or a bargaining agent, choose your method of implementation. The Pay Equity Commission has developed these services to help you manage pay equity.

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# Ontario's Community Colleges Host Pay Equity Conferences

On June 26, Pay Equity Commissioner Brigid O'Reilly opened one of many day-long conferences on pay equity sponsored by the Commission in conjunction with Ontario's community colleges.

The host of the summer's kick-off conference was Seneca College. Many of Ontario's community colleges have hosted or will host a conference before the fall is over.

"Collaboration and co-operation are two key ideas for the Pay Equity Commission. There are enormous challenges in implementing pay equity," said O'Reilly, "and we can best meet these challenges by working together within Ontario."

Each conference has been designed to:

- ▶ Describe the technical tools that will help practitioners
- ▶ Explain what is meant by gender neutrality
- ▶ Help participants focus on job content

"We want to share the knowledge that we have gained from our experience and from others on the resources you need to get your plan done, done well, and," said O'Reilly, "done on time."

## Two Pay Equity Veterans Share Their Experiences

Colette Nemni, employee relations officer and chief negotiator for the York Region Board of Education, and Brian Atkinson, CUPE national representative responsible for negotiating pay equity in all of the York Region and Toronto school boards, spoke about their experiences in implementing pay equity in the York Region Board of Education.

The York Region Board's contract settlement was a widely publicized case for pay equity negotiations across Ontario.

The largest hourly increase in the CUPE local of 602 members was accorded to elementary head secretaries, who went from \$11.19 to \$16.05 an hour. Their hourly increase of \$4.86 (which amounts to \$7,650 a year) was the result of their comparison to the male job class of audiovisual technician.

The York Region Board of Education's collective agreement expired in December 1988. The union's executive and the Board decided to negotiate pay equity during contract talks. Since pay equity was part of the regular wage settlement, it was implemented retroactive to January

1989, a year earlier than the legislated compliance date. In addition, the pay equity adjustments were paid out in their entirety, not phased in over a five-year period which the Act requires for minimum compliance.

"The story sounds very good but we did have problems," said Nemni. "Simultaneously, employees have been devastated, elated, confused and enlightened." She underscored the need for communication.

Atkinson echoed her concerns. "Very few employees really understood what pay equity was all about, and that was a major problem going into pay equity. From the very beginning," he said, "communication should have covered not only the content of the Act but also the repercussions of it."

He felt that better communication could have allayed or averted some concerns of employees. For instance, some employees who received wage increases are unhappy because their jobs were reclassified as a result of pay equity's job evaluation process.

Atkinson said, "One of the main things you have to understand about pay equity is that it is not a normal labour relations situation. It is not

confrontational. You are there to find a co-operative method of dealing with something that will have a lot of long-term effects, and these effects will be around a lot longer than any collective agreement.

"Any employer or employee groups that have confrontation in mind when they begin the process are going to find they will have a lot more problems getting started," he said.

A hindsight checklist for achieving pay equity was provided by Nemni:

- ▶ Involve senior administration in the entire pay equity process and ensure that they understand the ramifications of each step.
- ▶ Communicate with employees on a continuous, regular basis.
- ▶ Give supervisors an active role in the process.
- ▶ Ensure that the job evaluation committee reflects the various classifications of employees and includes senior administration.
- ▶ Be prepared to spend more time in negotiations than you imagined or have available.
- ▶ Work through *every* step of the process with the appropriate union.



## Schedule of Pay Equity Conferences

The Pay Equity Commission and Ontario's community colleges are sponsoring day-long conferences on pay equity, with the following agenda:

9:00 a.m.	Select from "Basics – Getting Started" or "Beyond Basics – Part Way to Posting"
11:00 a.m.	"How to Spot Gender Bias"
12:30 p.m.	Lunch "The Pay Equity Plan and How to Communicate It"
2:00 p.m.	Select from "Simple Solutions for Small Workplaces" or "Job Evaluation Methods"

As of July, the following conferences have been scheduled for the summer and fall:

DATE	LOCATION	COLLEGE CONTACT	PHONE NUMBER
August 25	Mohawk College, Hamilton	Harold Best	(416) 575-2009
September 7	Georgian College, Barrie	Janet Arnett	(705) 722-1575
September 18	Humber College, Toronto	Julie Klinger	(416) 675-3111 ext. 4418
September 21	Fanshawe College, London	Dan Link	(519) 452-4100
September 27	Sault College, Sault Ste. Marie	Blane Harvey	(705) 759-6774
September 28	Sir Sandford Fleming, Peterborough	Claudette Lachance-Wykes	(705) 876-1611
October 5	Humber College, Toronto	Julie Klinger	(416) 675-3111 ext. 4418
November 18	Georgian College, Parry Sound	Linda Newton	(705) 746-9222

## QUESTIONS AND ANSWERS

**Q:** Organizations established after the proclamation date must immediately comply with the Pay Equity Act. Given this requirement for newly established employers, does it follow that long established employers who create *new job classes* between the proclamation date and their actual posting date will have to ensure that those new job classes meet pay equity requirements as soon as they are created?

**A:** New job classes created between the proclamation date and the actual posting date would be included in the pay equity plan. However, job classes created *after* the plan has been posted would have to be evaluated using a gender-neutral job comparison system as the organization's other job classes were, and pay equity must be maintained, as per Section 7(1). An employee can complain during the implementation of the pay equity plan if he/she believes his/her job class is not paid appropriately, based on changed circumstances (Section 22 (2)(b)).

**Q:** Do I have to re-open my collective agreement in order to do my pay equity plan or to reflect the required pay equity adjustments?

**A:** No. The Pay Equity Act indicates that a pay equity plan prevails over all relevant collective agreements. Any adjustments to rates of compensation required by the plan are incorporated into and form part of the relevant collective agreements; this does not require the collective agreement to be opened in order to be effective.

*All questions and answers that appear in each Pay Equity Commission Newsletter are prepared by the Pay Equity Office for guidance and illustration. They are not binding on the Pay Equity Hearings Tribunal in its review of cases or its interpretation of the Pay Equity Act.*

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## HOW TO REACH THE PAY EQUITY COMMISSION

150 Eglinton Avenue East, 5th Floor  
Toronto, Ontario M4P 1E8

### INFORMATION HOTLINES:

#### ONTARIO-WIDE (TOLL-FREE)

1-800-387-8813

1-800-387-8887

#### TORONTO-AREA

481-3314 481-3315

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